

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: KATSUKI2

In re Application of:)	Conf. No.:
Hisakazu KATSUKI et al.)	
)	
IA No: PCT/JP2005/001749)	Art Unit:
)	
IA Filed: February 7, 2005)	Examiner:
)	
Appln. No.: Not Yet Assigned)	Washington, D.C.
)	
)	August 7, 2006
For: ED-71 PREPARATION)	
)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s),

which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

☐ A. Document(s) _____ is/are deemed substantially cumulative to document(s) _____, and, in accordance with 37 CFR §1.98(c), a copy of each of the former document(s) is not enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

☒ 3. Documents AE, AF, AG, AH, AI, AJ, AK, AL are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:

☒ An English translation of each document AF, AG, AH, AI, AJ, AK and AL (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.

☐ For documents _____, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.

☒ A concise explanation of the relevance of documents AE, AF, AG, AH, AI, AJ, AK and AL is found in the attached International search report

(see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

- [] A concise explanation of the relevance of document(s) _____ is set forth as follows:
- [] A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- [] A concise explanation of the relevance of document(s) _____ can be found on the attached sheet.


[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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BN/SB/08A/B

KATSUKI2[illegible]

		Foreign Patent Number			
Examiner Initials*	Cite No. ¹	Country Code ³ Number* Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AE	JP 2002-505668	02-19-2002		
	AF	JP 63-107929	05-12-1988	Chugai Pharmaceut Co., Ltd.	ABS
	AG	JP 10-72432	03-17-1998	Chugai Pharaceut Co., Ltd.	ABS
	AH	JP 6-87750	03-29-1994	Taiyo Yakuhin Kogyo KK	ABS
	AI	JP 5-004925	01-14-1993	Teikoku Chem Ind. Corp., Ltd.	ABS
	AJ	JP 2-215765	08-28-1990	Hoxan Corp	ABS
	AK	JP 6-41060	02-15-1994	Duphar Int. Res.	ABS
	AL	WO 01/90061	11-29-2001	Chugai Seikyaku Kabushiki Kaisha	ABS

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	Not Yet Assigned 10/588609
				Filing Date	Even Date Herewith
				First Named Inventor	Hisakazu KATSUKI
				Group Art Unit	
				Examiner Name	
Sheet	2			Attorney Docket Number	KATSUKI2

NON PATENT LITERATURE DOCUMENTS /OTHER INFORMATION			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AM	Y. UCHIYAMA, Bones, Vol. 30, No.4, (April 2002), pages 582-588, "ED-71, a Vitamin D Analog, Is a More Potent Inhibitor of Bone Resorption Than Alfacalcidol in an Estrogen-deficient Rat Model of Osteoporosis"	
	AN	ICH Harmonised Tripartite Guideline (Impurities in New Drug Products, Q3B®, ICH Steering Committee, 2003 Table of Contents and pages 1-11	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.